Re: CERCLA and upper Cement Creek ...
Fearn Engineering to: Silverton Standard   11/12/2010 10:59 AM
Cc: William Simon, Peter Butler, Sabrina Forrest
Please respond to Fearn Engineering

Mark - we can talk sometime (you weren't there). I think Bill Simon has and will respond for the ARSG. Todd's letter, in my opinion, contains some factual statements and several mis-statements, especially about the ARSG.

The Gladstone/Cement Creek metal loading issue is probably the single largest water quality issue we have in the Upper Animas Basin. The ARSG has been working on this intensely for at least 3 years. EPA is collecting data that will be useful in further understanding the details of the problem so that better `solutions to this problem can be identified.

The CERCLA process is one tool that EPA has in addressing water quality problems, and the Agency may feel it is required to determine if this process would be applicable to this situation - this action is independent of the Stakeholders group.

The ARSG has not been asked to support a CERCLA action, and, in my opinion, there would probably not be concensus in the group to support this. There are several other alternative options that have been and are under discussion. The ARSG's focus is on improving water quality, not in assessing blame or responsiblity.

EPA is at the table with the Stakeholders and is free to bring anything to the table that they feel would be productive. The ARSG is free to accept or not accept whatever they offer. In the past 16 years, the ARSG has specifically not endorsed Superfund actions in the basin, but has successfully worked on more collaborative alternatives.

Steve Fearn

-----Original Message-----
>From: Silverton Standard <editor@silvertonstandard.com>
>Sent: Nov 12, 2010 9:03 AM
>To: Fearn Engineering <fearneng@rmi.net>
>Subject: CERCLA and upper Cement Creek ...
>
>I have seen Todd Hennis's letter.
>
>Wondering what is going on here.
>I have inquired with Sabrina Forrest and Bill Simon.
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>Is the ARSG really taking a look at Superfund for the problem?
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